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ABSTRACT

This lesson plan uses students' interest in sports to teach good citizenship. With its focus on rules, responsibility, conflict resolution, and teamwork, the unit emphasizes the development of critical thinking, decision-making, and citizenship skills in young people. This lesson plan is part of a series of fully prepared, interactive classroom lesson plans offered by the Sports and the Law program of the Constitutional Rights Foundation. Each lesson includes detailed teacher instructions, background information, and student handouts. This lesson presents a mock trial case of a coach accused of assaulting a referee. Students roleplay attorneys, witnesses, jury members, and court personnel. (BT)

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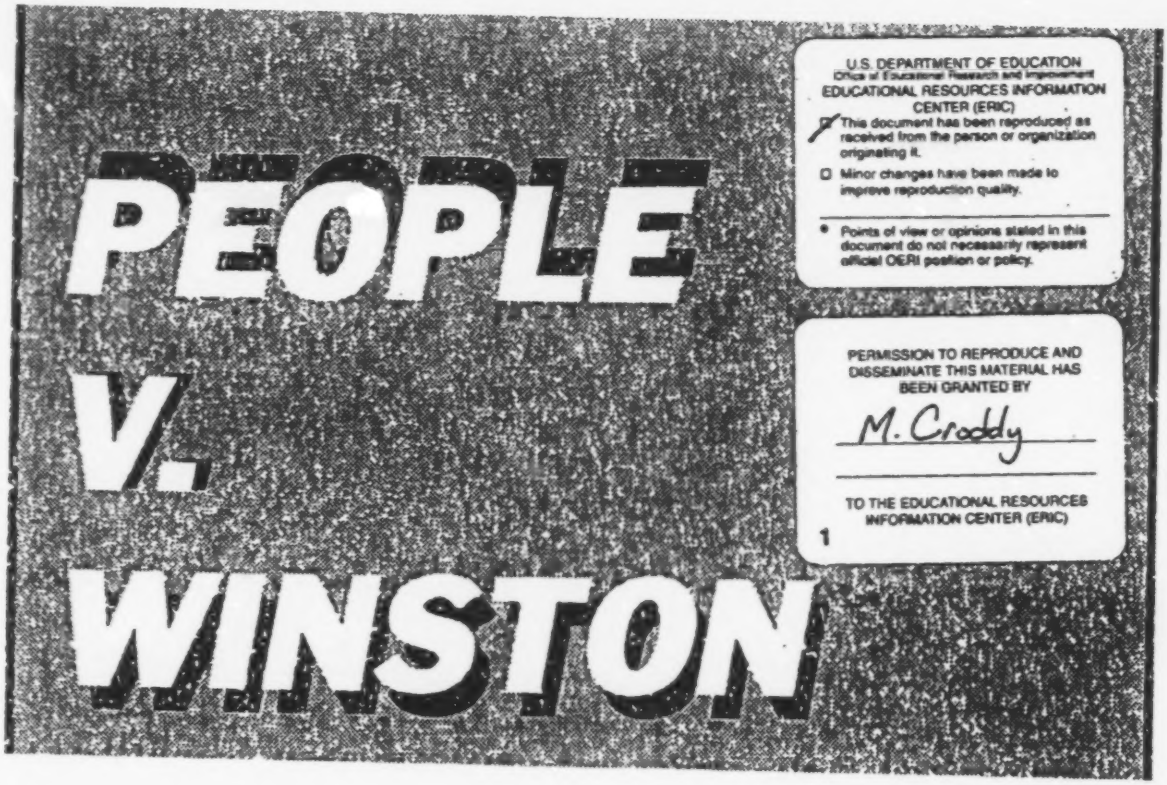

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PEOPLE v. WINSTON

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Introduction

Constitutional Rights Foundation's Sports and the Law program uses students' interest in sports to teach good citizenship. By learning how rules—on and off the playing field—relate to society, students acquire knowledge necessary to become responsible citizens and effective participants in our democracy. CRF believes that good sportsmanship is good citizenship. With a focus on rules, responsibility, conflict resolution, and teamwork, Sports and the Law emphasizes the development of critical thinking, decision-making, and citizenship skills in young people.

This mini-unit is part a series of fully prepared, interactive classroom lesson plans offered by the Sports and the Law program. Each mini-unit illustrates important aspects of law and society and promotes an understanding of law-related concepts by linking the excitement of sports to broader social issues.

Overview

People v. Winston is a mock trial case of a coach accused of assaulting a referee with a deadly weapon. Students role play attorneys, witnesses, jury members, and court personnel. By using the backdrop of sports as motivation, *People v. Winston* offers students an exciting introduction to the criminal justice system.

In Lesson One, students are first introduced to the case. Then they read about and discuss reasonable doubt. Next, they are assigned roles and they prepare for the mock trial.

In Lesson Two, students conduct the mock trial and take part in debriefing the activity.

You might find it helpful to invite a trial attorney to your classroom. The attorney can coach students, run the trial as the judge, and take part in debriefing the activity.

Objectives

Students will:

1. Analyze and present evidence in a hypothetical case.
2. Based on evidence presented, decide the guilt or innocence of a defendant in a hypothetical case.
3. Develop an understanding of a criminal trial and the concept of reasonable doubt.

Lesson One

Materials and Preparation

- **Handout A: Case Facts**—1 per student
- **Handout B: Reasonable Doubt**—1 per student
- **Handout C: Attorney and Witness Materials**—1 per student role playing attorneys, witnesses, or judge
- **Handout D: Jury Duty**—1 per student serving on the jury or role playing the clerk/bailiff
- **Handout E: Juror Quiz**—1 per student serving on the jury or role playing the clerk/bailiff

Procedure

A. Focus Activity—Introducing the Case

1. Ask students:
   - What would happen if, during a basketball game, a coach pushed a referee? (The referee might call a technical foul or might throw the coach out of the game.)
   - What would happen if the coach hit the referee with a chair? (Police would arrest the coach.)
   - Who would be involved in the trial of the coach? (Judge, jury, prosecutor, defense attorney, witnesses.)
   - Why do we have trials? (Aside from determining a person's guilt or innocence, make sure students understand that trials also have procedures to protect the innocent and help ensure that only the guilty get punished.)
2. Inform students that they will take part in a mock trial of Coach Jerry Winston, a high school basketball coach accused of hitting a referee with a chair. Advise them that they will role play the attorneys and witnesses in this case. Tell them to listen carefully to the facts of the case. Distribute **Handout A: Case Facts** to each student. Read it aloud to the class. Answer any questions students may have.

B. Reasonable Doubt—Reading and Discussion

1. Tell students that for someone to be convicted of a crime, that person must be proven guilty "beyond a reasonable doubt." Distribute **Handout B: Reasonable Doubt** to each student. Ask them to read the handout and find out what "guilty beyond a reasonable doubt" means.
2. When they finish, ask the following questions:
   - What does "guilty beyond a reasonable doubt" mean? (Jurors must believe that there is no reasonable explanation other than that the person is guilty. Make sure students understand that it does not mean beyond all **possible** doubt.)
   - Why do you think a jury must find a defendant guilty beyond a reasonable doubt? (Make sure they understand that the system is designed to prevent innocent persons from going to jail. Some students may have heard the old saying that "it's better 10 guilty

people go free than one innocent go to jail.")

C. Preparation for Mock Trial

1. Assign students the following roles in the mock trial:

   - Defense team—2–6 students
   - Prosecution team—2–6 students
   - Witnesses—6 students
   - Jury—6–12 students
   - Defendant—1 student
   - Clerk/Bailiff—1 student (This student will work with the jury group until the role play begins.)
   - Judge—Preferably this role should go to the teacher or an attorney invited to class.

   (All students should have a role. If you have a particularly large class, you can have more than one jury. Note: The names of all witnesses are gender-neutral so any student can play any role.)

2. Distribute the materials. Give **Handout C: Attorney and Witness Materials** to students role playing attorneys, witnesses, and judge. Give the remainder of the class **Handout D: Juror Materials**.

3. Tell the jurors to read the **Juror Materials**. Inform them that you will give them a quiz on the materials in 10 minutes. (This will give you time to help attorneys and witnesses prepare.)

4. Review the **Attorney and Witness Materials** with the attorneys, witnesses, and judge. Give them the rest of the period to prepare. Tell them the mock trial will begin at the next class meeting. We recommend that you place time constraints on the role play. Inform students of your time limits. Below are suggested time limits:

   Preparation—30 minutes (the rest of the period)

   Opening statement—2 minutes each

   Closing statements—2 minutes each

   Examine witness—3 minutes each

   Cross-examine witness—2 minutes each

   Jury Deliberation—10 minutes

5. After 10 minutes, give each member of the jurors group **Handout E: Juror Quiz**. Tell students not to look at the **Juror Materials** when taking the quiz. Give them 10 minutes. (Spend this time helping the attorneys and witnesses prepare.)

6. After 10 minutes, tell the jurors to break into pairs and correct each other's quizzes using **Handout D: Juror Materials**. Give them until the end of the period to correct the quizzes. (Spend this time helping attorney and witnesses prepare.)

7. At the end of the period, collect the **Juror Materials** and **Juror Quiz** from each juror. Remind all students that the mock trial take place at your next meeting. Tell them to bring their handouts to class.

Lesson Two

Materials & Preparation

- **Handout F: Clerk/Bailiff**—1 to student role playing clerk/bailiff
- Set up the classroom as a courtroom. Put a table in front for the judge's bench, a table near the judge's bench for the clerk, a chair beside the judge's bench for witness stand, chairs for jurors near the witness stand, and a defense table and a prosecution table facing the judge's bench.
- Students should bring their handouts from the previous lesson. You will need to pass out **Handout D: Jury Duty** that you collected at the end of Lesson 1

A. Conducting the Mock Trial

1. Put students into their attorney, witness, and juror groups. Distribute **Handout F: Clerk/Bailiff** to the student role playing the clerk/bailiff. Give students a few minutes to prepare.
2. Call the class to order and begin the role play. The judge should run the trial following the instructions for the judge.

B. Debriefing

Use the following questions to debrief the activity:

- What did you find the most difficult to do in the mock trial?
- Do you agree with the verdict? Why or why not?
- What is reasonable doubt? Do you think it's fair to a jury to find a defendant not guilty if there is reasonable doubt? Why or why not?

Case Facts
People v. Winston

On the afternoon of March 4, North Valley and Roark High Schools battled for the city basketball championship. North Valley, the defending city champs, had lost only one game all season—to Roark, back in December.

In this rematch for the championship, North Valley coach Jerry Winston argued continuously with the officials. Early in the third quarter, Winston was whistled for a technical foul and had to be restrained by an assistant coach. North Valley eventually lost to Roark, 57–54. At the conclusion of the game, a brawl broke out on the court, which resulted in both referees being hospitalized.

According to police reports, referee Tracy Mills, 27, was knocked down and kicked when both teams raced onto the court after the game. Mills, who called the technical foul on Winston, was one of the referees in the December game between the two rival teams. Witnesses said players and coaches from both schools were involved in the altercation. The other referee, Dale Stevens, 31, was injured when hit in the back of the head with a metal chair.

Winston, 39, was questioned by police and released. The athletic committee of the school district held an investigation into the incident. The committee took disciplinary action against both schools, but neither coach was suspended.

Upon further investigation, the district attorney's office charged Winston with one count of assault with a deadly weapon for striking referee Stevens with a metal chair.

Assault With a Deadly Weapon

A person is guilty of assault with a deadly weapon if the person (1) intentionally tries to attack another person and (2) uses a deadly weapon in the attack. A deadly weapon is any object or weapon that can be used to produce death or great bodily injury.

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REASONABLE DOUBT

In our justice system, the defendant is innocent until proven guilty. This means that the prosecution has the "burden of proof" in showing that the defendant is guilty *beyond a reasonable doubt*. Reasonable doubt is one of the keys to our justice system.

Suppose, for example, while waiting for a bus you look inside the window of a bank. You see a tall man in an orange shirt pull a gun on a teller. The teller hands the man a money bag and the man runs out. Later you hear that the bank has been robbed by a tall bandit in an orange shirt who had a gun. Though it is possible that the person you saw did not commit the robbery, the evidence would lead you to believe *beyond a reasonable doubt* that the person you saw did, in fact, rob the bank.

To deliver a verdict of guilty, a jury must believe beyond a reasonable doubt that the evidence shows the defendant is guilty. If the jurors are not that certain, they must find the defendant not guilty.

The justice system is designed to prevent innocent people from being punished. One of its safeguards is that the prosecution must prove the defendant guilty beyond a reasonable doubt.

For Discussion

1. What is "guilty beyond a reasonable doubt"?
2. Why do you think a jury must find a defendant guilty beyond a reasonable doubt?

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ATTORNEY AND WITNESS MATERIALS

Instructions:

You will need to read and be familiar with all these materials.

If you are an attorney, you will need to study the following:

- The Description of Your Role (either **The Prosecuting Attorneys** or **The Defense Attorneys**.
- the **Witness Statements**.
- the **Rules of Evidence**.
- **The Judge**. (Read this to understand what will happen at the trial.)

If you are the defendant, study the same materials as your attorney and help in the preparation of your defense. At trial, only attorneys may object or question witnesses.

If you are a witness, you need to study the following:

- **Witnesses**.
- the **Witness Statement** for your role.

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THE PROSECUTING ATTORNEYS

Your job is to show that Jerry Winston is guilty of assault with a deadly weapon. To do this, you must **prove beyond a reasonable doubt** that:

1. Jerry Winston **intentionally hit** referee Dale Stevens over the head with a metal chair.
2. The metal chair was a **deadly weapon**.

(It will help your case if you can prove that Jerry Winston threatened a referee at halftime.)

Your team of attorneys should be prepared to do the following:

1. **Make an opening statement to the court explaining what you believe the facts of the case will show.**
2. **Question your witnesses to bring out the facts that support your case.** (Review **Witness Statements** and **Rules of Evidence**, prepare questions in advance, and practice asking questions with your witnesses.)
3. **Cross-examine defense witnesses to weaken the case of the opposing side.** (Review the **Witness Statements** and **Rules of Evidence** and prepare questions in advance.)
4. **Object to improper questions of witnesses by the defense.** (Review **Rules of Evidence**.)
5. **Make a closing statement to the court stating why you believe you have proved your case.**

Decide who will do each job below and write the person's name in the appropriate space.

Job	Person
Opening Statement	
Question Prosecution Witness #1: Tracy Mills	
Question Prosecution Witness #2: Alex Lopez	
Question Prosecution Witness #3: Dale Stevens	
Cross-Examine Defense Witness #1: Robin Brandon	
Cross-Examine Defense Witness #2: Sal Fimaggio	
Cross-Examine Defense Witness #3: Mel Armstrong	
Closing Statement	

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THE DEFENSE ATTORNEYS

Your job is to show that Jerry Winston is not guilty beyond a reasonable doubt of the crime of assault with a deadly weapon. To do this, you must try to convince the jury of the following:

1. Jerry Winston did not intentionally hit referee Dale Stevens over the head with a metal chair.
2. The metal chair was not a deadly weapon.

(It will help your case if you can convince the jury that Jerry Winston did not threaten a referee at halftime.)

Your team of attorneys should be prepared to do the following:

1. **Make an opening statement to the court explaining what you believe the facts of the case will show.**
2. **Question your witnesses to bring out the facts that support your case.** (Review **Witness Statements** and **Rules of Evidence**, prepare questions in advance, and practice asking questions with your witnesses.)
3. **Cross-examine prosecution witnesses to weaken the case of the opposing side.** (Review the **Witness Statements** and **Rules of Evidence** and prepare questions in advance.)
4. **Object to improper questions of witnesses by the prosecution.** (Review **Rules of Evidence**.)
5. **Make a closing statement to the court stating why you believe you have proved your case.**

Decide who will do each job below and write the person's name in the appropriate space.

Job	Person
Opening Statement	
Question Defense Witness #1: Robin Brandon	
Question Defense Witness #2: Sal Fimaggio	
Question Defense Witness #3: Mel Armstrong	
Cross-Examine Prosecution Witness #1: Tracy Mills	
Cross-Examine Prosecution Witness #2: Alex Lopez	
Cross-Examine Prosecution Witness #3: Dale Stevens	
Closing Statement	

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THE JUDGE

Your job is to run the trial of Jerry Winston in an orderly, efficient, and fair manner. During the trial, you will rule on objections. Listen to both sides and use common sense if you are not sure about the law. Prepare by reading the **Rules of Evidence**, the **Witness Statements**, and the following trial steps:

1. Start the trial by naming the case. "The court is now in session. The court will hear *People v. Winston*."
2. Ask the clerk to swear in the jury.
3. Ask both sides if they are ready to present their cases.
4. Ask the prosecution to make its opening statement.
5. Ask the defense to make its opening statement.
6. Next ask the prosecution to call its witnesses. After the prosecutors finish questioning each witness, let defense attorneys cross-examine the witness. (Note: Only one attorney from each side should question each witness.)
7. When the prosecution has called all its witnesses, ask the defense to call its witnesses. After the defense attorneys finish questioning each witness, let prosecutors cross-examine the witness.
8. After the defense calls all its witnesses, ask the defense to make its closing statement.
9. Then ask the prosecution to make its closing statement.
10. Next read the **Jury Instructions** to the jury.
11. Then tell jury members to withdraw and begin their deliberations. Remind them to select someone to speak for them and to let you know when they have reached a verdict.
12. When the jury indicates it is ready, have jury members return and hand their verdict in writing to you. Make sure it clearly states whether the defendant is guilty or not guilty and give it to the clerk to read.
13. Thank the jury and dismiss it.

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WITNESSES

Your job is to supply the facts in the case. To do this, try to keep the following guidelines in mind:

1. A witness may testify only to facts that are stated in the witness statements or the case facts.
2. The witness statements should be considered as signed statements made to the police.
3. Witnesses cannot testify to facts that they would have no way of knowing.

To prepare, read your **Witness Statement** and practice answering questions with the attorney who will be calling you to the witness stand. Remember: Another attorney will be asking you questions on cross-examination so you must know the **Witness Statement** very well.

WITNESS STATEMENTS

Prosecution Witness #1: Tracy Mills

I am 27-years-old. I work as a personal trainer and sports official. On the afternoon of March 4, I was assigned to ref the championship basketball game. During the game, the coach from North Valley spent the whole first half yelling at my partner and me from his bench. At halftime, my partner Dale and I headed outside the gym to get some fresh air. As we entered the gym before the start of the second half, the North Valley coach walked toward me. The coach looked me straight in the eye and said, "You absolutely stink out there. What do you have against my team, anyway?" The coach walked away then turned back and threatened me by saying, "I'm going to get you, believe me." After the game, a player from North Valley spit at me as I attempted to leave the court. I tried to restrain the player, but I was pushed down and kicked while I was lying on the court.

Prosecution Witness #2: Alex Lopez

I am 52-years-old and have worked as a security guard for school events at Parkview for 17 years. I was in the gym for a basketball game on Friday, March 4. I was happy to see Roark win because both my sons and I went to that school. Anyway, when the game was over, both teams and coaches raced onto the floor when two players pushed each other. I ran to the middle of the court to help the referees break up the fight. All of a sudden, players from both teams began pushing and shoving. That's when I notified the police station with my walkie-talkie that we had a problem. The next thing I saw was that the other coach had picked up a metal chair and swung it at the referee, knocking the referee out. Somehow, everybody was separated and the police arrived in the gym several minutes later.

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WITNESS STATEMENTS

Prosecution Witness #3: Dale Stevens

I am 31-years-old. I work as a physical therapist and sports official. I worked the championship game on the afternoon of March 4. Winston, the coach from North Valley, yelled at me and my partner the whole game. When my partner Tracy and I entered the gym to start the second half, Coach Winston walked toward us. The coach said something to Tracy that I didn't hear. Then the coach walked away, turned back, and said, "I'm going to get you, believe me." After the game, a fight broke out on the floor. I was trying to break it up, when I heard someone behind me shout, "This chair's for you!" Then I felt a blow to my head and I went out. The person who shouted was Coach Winston. I know this for sure. I had heard Coach Winston's voice all day.

Defense Witness #1: Robin Brandon

I am 38-years-old and I run a day-care center in town. My son, Jason, is on the basketball team at North Valley. I got to the game late on March 4—at halftime. I saw the referees standing outside. As I walked into the door, I saw Coach Winston walking toward me and I said hello. Then I realized that Winston was angry and wanted a word with the officials. As I stood there, I couldn't quite hear what Winston said to them. But when Winston walked off and turned back around, I heard Winston say, "I'll make sure that I don't get you, you can believe me." I think that Coach Winston must have been telling the officials that the school would request that these referees no longer be assigned to North Valley games. Unfortunately, due to an emergency at work, I had to leave before the end of the game.

Defense Witness #2: Sal Fimaggio

I am 49-years-old and I am the athletic director at North Valley High School. I have been a good friend of Jerry Winston for over 30 years. Watching the game on March 4, I was concerned because both teams' coaches were complaining about bad calls. By the second half, tempers were short, especially after Winston got hit with a technical foul. After the game, I stepped down on the court when a scuffle broke out between two opposing players. But instead of breaking it up, other players from both teams joined the fight. As I tried to keep other players from joining in, I saw that one of our players had grabbed a metal chair. I'm not sure who the player was. Evidently, Jerry saw the kid and tried to grab the chair, but Jerry got pushed and lost his balance. Jerry held onto the chair and it hit the referee right in the back of the head. If Jerry hadn't grabbed the chair from the student, someone might have gotten killed.

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WITNESS STATEMENTS

Defense Witness #3: Mel Armstrong

I am 36-years-old and have been the assistant coach at North Valley for three years. During the championship game on March 4, Coach Winston and I were extremely upset with the referees. When Coach Winston got called for a technical foul, I had to stop the coach from going on the court, arguing with the referees, and getting thrown out of the game. Coach Winston told me, "I'll make sure we never get these guys again. I'm going to complain to the conference association." When the fight broke out after the game, Coach Winston turned to me and said, "We've got to stop this." We both ran out on the court to break the fight up. I didn't see what happened with the chair, but I know Coach Winston would never do such a thing.

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RULES OF EVIDENCE

Evidence proves or disproves facts. Courts have rules that dictate when and how evidence may be presented. Known as rules of evidence, they ensure that trials will be fair, orderly, and more likely to discover the truth.

If an attorney believes that the other side is introducing improper evidence, the attorney can object. The judge rules on the objection. If the judge thinks the objection is wrong, the judge will say, "Objection overruled." But if the judge agrees with the objection, the judge will say, "Objection sustained," and the evidence will not be allowed into court.

In *People v. Winston*, all the evidence will be testimony from witnesses. For this trial, the following objections may be made to testimony by witnesses:

1. Not in the Record

This objection is not an objection in a regular courtroom. It allows you to stop an opposing witness from creating new facts. If you believe that a witness has gone beyond the information provided in the **Witness Statement**, then you should object.

How to Object: **Objection, your honor. This is not part of the record.**

2. Not Relevant

All evidence must be relevant to the case. It must help prove or disprove the defendant's guilt. In this case, all the evidence must help prove or disprove these two facts:

1. Jerry Winston threatened referee Tracy Mills during halftime of the game.
2. Jerry Winston intentionally hit referee Dale Stevens over the head with a metal chair.

If the evidence has nothing to do with these two facts, then it is not relevant and can be objected to.

How to Object: **Objection, your honor. This is not relevant.**

3. No Personal Knowledge

Witnesses must have personal knowledge of what they testify about. Sam could not, for example, testify that Jerry Winston hit the referee if Sam did not see this himself.

How to Object: **Objection, your honor. The witness has no personal knowledge.**

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JURY DUTY

(page 1)

Here are some answers to questions about the jury system and your service on the jury in the Winston case.

Q: Where did the jury system come from?

A: The jury system was developed in England about 1200 A.D. It was far different from today's jury system. The jurors not only voted on guilt or innocence, but they served as witnesses. Gradually, the jury's role changed to that of today: A group who listens to the evidence and gives a verdict of guilty or not guilty.

Q: How did the jury system come to America?

A: The English colonists brought it to America.

Q: Does every person accused of a crime have a right to a jury trial?

A: Yes, the Sixth Amendment to the Constitution gives everyone accused of a crime the right to trial by jury.

Q: Who can serve as a juror?

A: A juror must be (1) a U.S. citizen, (2) a resident of the state, (3) at least 18 years of age, (4) able to read and write English, (5) of at least ordinary intelligence, and (6) of sound mind.

Q: Who cannot serve on a jury?

A: Anybody who meets the above qualifications can serve except those who have been convicted of a felony.

Q: How are people chosen for jury duty?

A: Their names are selected from lists of registered voters and licensed drivers in the county.

Q: Does everyone selected have to go to jury duty?

A: No, people can get out of jury duty if it is an "undue hardship" on them. People with small children and people who cannot afford to give up time from work are often excused from jury duty.

Q: How are jurors selected for particular cases?

A: A panel of prospective jurors is brought into the courtroom. Each person on the panel is questioned by the judge and attorneys. If a prospective juror shows any bias, that juror is excused. Each attorney can reject a limited number of prospective jurors for any reason except their race or sex. The jury will be composed of the first 12 of the remaining jurors on the panel. (In some states, there are juries of six people.)

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JURY DUTY

(page 2)

Q: What happens at a trial?

A: First, the clerk of the court will swear you in as jurors.

Then the prosecution and defense will make their opening statements. The lawyers explain what the evidence will show.

Next, the prosecution will call its witnesses. Then, the defense will call its witnesses. Each side will question all the witnesses. Sometimes an attorney may object to questions. The judge will rule on the objection based on the Rules of Evidence. If the judge sustains the objection, the judge will order you to disregard the witness's answer. This means you should not consider that answer when you are determining the defendant's guilt or innocence.

After all the witnesses have testified, the attorneys will make their closing arguments. The attorneys will try to persuade you that the evidence proves their case.

Then the judge will instruct you on the case.

Next, you will begin your deliberations and hopefully you will reach a verdict.

Q: What exactly is the jury's job?

A: Your job is to make a fair decision in the case. To do this, you must do the following:

1. Listen carefully to all testimony given in the case.
2. Keep an open mind throughout the entire trial.
3. Follow the **Jury Instructions**.
4. Select a spokesperson.
5. Reach a unanimous decision. If you can't agree, you are a hung jury and will be dismissed without reaching a verdict.

Your decision must be based only on the evidence presented at trial.

Q: What are the jury instructions?

A: These are the instructions the judge gives you at the end of the trial. They tell you what you are to decide. Read the **Jury Instructions** for this case on the next page.

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JURY INSTRUCTIONS

It is your duty in this case to decide the guilt or innocence of the defendant, Jerry Winston. Before making your decision, please weigh the evidence carefully.

To return a verdict of guilty in this case, you must be convinced beyond a reasonable doubt that:

1. Jerry Winston hit referee Dale Stevens over the head with a metal chair.

2. The chair was a deadly weapon.

If you find both these points to be true, you must find Jerry Winston guilty of assault with a deadly weapon. If one or both of these points is not true, you must find Jerry Winston not guilty.

Under state law, your verdict must be unanimous.

Reasonable doubt does not mean that there is no possible doubt. There will always be doubts. But you must be convinced to a moral certainty that the defendant is guilty.

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JUROR QUIZ

1. What country did our jury system come from?
2. Does every person accused of a crime have a right to a jury trial?
3. List FIVE requirements for a person to serve on a jury. A person must be:

   a. b. c.

   d. e.
4. The names for prospective jurors are selected from two lists. What are these two lists?
5. If someone does not want to be a juror, what do they have to prove?
6. Why do the judge and attorneys question prospective jurors?
7. Here are some steps in a trial. Put them in order from first to last.

   ___ Defense calls its witnesses.
   ___ Jury gives its verdict.
   ___ Defense and prosecution make their closing arguments.
   ___ Clerk of the court swears in jurors.
   ___ Judge instructs the jury.
   ___ Prosecution calls its witnesses.
   ___ Prosecution and defense make opening statements.
   ___ Jury deliberates.
8. List THREE things that jurors must do.

   a.

   b.

   c.
9. John is arrested for stabbing Mark to death. The following is what all the evidence proved at trial:

   Some witnesses say John hated Mark. No one saw John kill Mark. No one saw John near Mark's house on the night of the murder. John's fingerprints were on the knife and some blood found at the scene has John's DNA. John says he was sleeping at home when Mark died. He has no witnesses. He says the police planted the evidence against him, but he has no proof.

   Is John guilty beyond a reasonable doubt? _____

   Explain your answer on the other side of this paper.

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CLERK/BAILIFF

Your job is to assist the judge in the courtroom. To do this, you will:

1. Call the court to order to begin the trial. For example, "The Superior Court of the State of _____ is now in session. The Honorable Judge _____ presiding. Please come to order."

2. Swear in the jury. When the judge asks you, turn to the jury, ask them to raise their right hands, and say "Do you promise to follow the rules of the court, be honest and fair, and give your verdict based solely on the evidence you hear?"

3. Time the trial. If your teacher places time limits on different parts of the trial, you will inform the court when time is up.

4. Call and swear in all witnesses. For example, "Do you promise to tell the truth, the whole truth, and nothing but the truth?"

5. Read the jury's verdict.

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